

DEC 26 2002 14:08 FR MOF SAN DIEGO

858 720 5125

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PACENT
Docket No. 524022000180
GROUP 1600
12/30/02
2002

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Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Dexu ZHU, et al.

Serial No.: 09/975,136

Filing Date: October 10, 2001

For: METHODS AND COMPOSITIONS FOR
TREATING OR PREVENTING
BACTERIAL INFECTION

Examiner: Paul A. Zucker

Group Art Unit: 1623

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

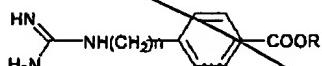
Dear Sir:

Per a teleconference between the Examiner and the undersigned today (December 26, 2002), the undersigned submits this Supplemental Amendment. As agreed upon, the amendments of claims 1, 16-18 and 20 place the pending claims into form of allowance.

In the claims:

Please replace claims 1, 16-18 and 20 with the following clean set of amended claims 1, 16 and 20. A version with markings to show changes made is included in Exhibit A. A courtesy copy of all pending claims 1-21 is also included in Exhibit B.

~~1. (Twice Amended) A compound, or a pharmaceutically acceptable salt thereof,~~
~~having the following formula I:~~



sd-125134

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MORRISON & FOERSTER LLP

Attorneys at Law
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Suite 500
San Diego, California 92130-2332
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To: Examiner Paul A. Zucker, Group 1623
USPTO.

Facsimile: (703) 746-5311
Phone: (703) 306-0512

From: Peng Chen

Date: December 26, 2002

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Comments:

Re: SUPPLEMENTAL AMENDMENT for
U.S. Patent Application Serial No. 09/975,136
Filed: October 10, 2001
For: METHODS AND COMPOSITIONS FOR TREATING OR PREVENTING
BACTERIAL INFECTION
By: Dexu ZHU, et al
Our reference: 52402-20001.00

Regards,

Peng Chen

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858 720 5125 7989#52402#24001 P.02

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

10

Application Number 09/975,136

Filing Date October 10, 2001

First Named Inventor Dexu ZHU, et al

Group Art Unit 1623

Examiner Name Paul A. Zucker

Attorney Docket No. 524022000100

ENCLOSURES (check all that apply)

 Fee Transmittal Form Assignment Papers
(for an Application) After Allowance Communication to Group Fee Attached Drawing(s) Appeal Communication to Board of Appeals and Interferences Supplemental Amendment, 7 pgs Licensing-related Papers Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) After Final Petition Proprietary Information Affidavits/declarations Petition to Convert to a Provisional Application Status Letter Extension of Time Request Power of Attorney, Revocation
Change of Correspondence Address Other Enclosure(s) (please identify below): Express Abandonment Request Terminal Disclaimer Information Disclosure Statement;
PTO form 1449; Int'l Search Report;
References (49) Request for Refund CD, Number of CD(s) _____ Certified Copy of Priority Document(s)

Remarks



25225

PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Peng Chen Registration No. 43,543
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Signature	
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Date	December 26, 2002
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Rhea Amid

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FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 9.00)

Complete if Known	
Application Number	09/975,136
Filing Date	October 10, 2001
First Named Inventor	Dexu ZHU et al
Examiner Name	Paul A. Zucker
Group Art Unit	1623

Attorney Docket No. 524022000100

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
03-1952, ref. 524022000100Deposit Account Name
Morrison & Foerster LLP

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

- Check Credit Card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	260	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
145	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(e))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
178	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES

Total Claims	21	- 20** =	1	X	= \$ 9.00
Independent Claims	1	- 3** =	0	X	= \$ 0

Multiple Dependent

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	64	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	64	209	42	**Reissue independent claims over original patent
110	16	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 9.00)

** or number previously paid, if greater; For reissues, see above.

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

Complete if applicable

Name (Print/Type)	Peng Chen	Registration No. (Attorney/Agent)	43,543	Telephone	(858) 720-5117
Signature	<i>[Signature]</i>				

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